

REMARKS/ARGUMENTS

In the Office Action mailed March 10, 2005, claims 1-18 stand rejected. Claim 13 has been amended to clarify certain aspects of the invention and not for reasons related to patentability. New claims 19 and 20 have been added. Applicant submits that no new matter has been added. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

CLAIM REJECTIONS – 35 U.S.C. §102

The Office Action states that claims 1-3, 7-9 and 13-15 are rejected under 35 U.S.C. §102(b) as being anticipated by *Daniels* (U.S. Patent No. 4,822,387) because *Daniels* purportedly teaches a method of filtering and an apparatus for removing or filtering liquids from a pressurized gaseous stream as claimed.

Daniels is directed to an inverse flow depth filter assembly. Shown in FIG. 1 of *Daniels* is a single housing embodiment 11 of the *Daniels* inverse flow depth filter assembly. (*See Daniels* col. 3, lines 3-5). Single housing embodiment 11 has housing 12 and filter cartridge 10. (*Id.* col. 3, lines 5-7). Surrounding housing side wall 22 and housing bottom 16 is guard 20. (*Id.* col. 3, lines 19-20). Housing bottom 16 includes drain 18, shown as a Wilkerson drain, but may be any automatic drain as is known in the art. (*See id.* col. 3, lines 16-19). According to *Daniels*, air enters housing 12 through air inlet means 24 in the direction of arrow 50. (*See id.* col. 3, lines 36-37). Air is then forced downward into annular channel 19 in the direction of arrow 51. (*See id.* col. 3, lines 37-39). When air reaches cartridge bottom 36, it is allowed to enter cartridge 10 in the direction of arrows 52. (*See id.* col. 3, lines 39-41). As air passes

through cartridge 10 it collects on the filter elements 30, 32, and eventually coalesces and drops to housing bottom 16 to be drained out through drain 18. (*See id.* col. 3, lines 50-52). Only the inner chamber can drain through drain 18 and not the outer chamber. It should be noted that filter element 30 is tightly packed stainless steel twist and filter element 32 is a cotton/stainless steel mesh and that both filter elements 30, 32 do not define an inner chamber.

Contrary to the Examiner's assertions, *Daniels* does not show or describe a filter for or a method of filtering liquids from a pressurized gaseous stream comprising, among other features, a filter element defining an inner chamber, a housing having an outer chamber, and "a drain device, having an orifice in the inner chamber and the outer chamber for draining the liquids from both the inner chamber and the outer chamber from the filter," as is recited in claim 1 and substantially similarly in claim 7. In addition, *Daniels* does not show or disclose a device for filtering liquids from a pressurized gaseous stream, the device comprising, among other features, filtering means defining an inner chamber and housing means having an outer chamber, and "draining means, having an orifice in the inner chamber and the outer chamber for draining the liquids from both the inner chamber and the outer chamber from the device," as recited in claim 13. Instead, the drain device of *Daniels* is shown as having an orifice only in the inner chamber (22), as defined by the Examiner, from which to drain. (*See Detailed Action* at page 2).

Accordingly, *Daniels* fails to teach each and every limitation of claims 1, 7, and 13. Withdrawal of the rejection is respectfully requested.

Because claims 1, 7 and 13 are believed to be patentable, and because claims 2-3 depend from claim 1, claims 8-9 depend from claim 7, and claims 14-15 depend from claim 13, claims 2-3, 8-9 and 14-15 are also believed to be patentable. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103(a)

The Office Action states that claims 4-6, 10-12, and 16-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Daniels* in view of either *Alexander, III* (U.S. Patent No. Re. 35,433) or *Kitchener* (U.S. Patent No. 5,803,715). As discussed above, independent claims 1, 7 and 13 are believed to be patentable over *Daniels*. Claims 4-6, 10-12 and 16-18 depend respectively from claims 1, 7 and 13 and are therefore believed to be patentable for at least the same reasons. More specifically, to the extent the Examiner relies on *Alexander, III* and *Kitchener* as purportedly disclosing a pressure valve as claimed in claims 4-6, 10-12 and 16-18, see Detailed Action at 3, neither *Alexander, III* nor *Kitchener* are believed to cure the deficiencies of *Daniels* as detailed above. Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Presented for the Examiner's review and consideration are new claims 19 and 20. No new matter is believed to be added by these new claims. Newly added claims 19 and 20 are fully supported by the application as originally filed, for example, at page 7 paragraph 24.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully request that the rejections under 35 U.S.C. §§102, 103 be withdrawn. If, for any reason, the Examiner disagrees, please call the undersigned attorney in an effort to resolve any matter still outstanding before issuing another action.

No extensions of time are believed due in connection with this submission. However any extension of time necessary for entering this paper is hereby requested and any fees due for consideration of this response is hereby authorized to be charged to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP



David J. Baltazar
Reg. No. 53,964

Date: June 9, 2005
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783